

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 12, 2002

The Hamilton County Board of Commissioners met on Monday, November 12, 2002 in the Commissioner's Courtroom in the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session at 1:00 pm. President Clark called the public meeting to order at 2:00 pm. A quorum was declared present of Commissioner Sharon R. Clark, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited by everyone.

Approval of Minutes:

Dillinger motioned to approve the minutes of October 28, 2002. Clark seconded. Dillinger and Clark approved. Holt abstained. Motion approved.

Executive Session Memoranda:

Dillinger motioned to approve the Executive Session Memoranda of November 12, 2002. Holt seconded. Motion carried unanimously.

Plat Approvals (Tape 1, #64)

Brooks Landing, Section 2:
Clayborne, Section 1:
Shelborne Estates:
Centennial Townhomes, Building 17:
Sedgwick:
West Carmel Clay Center, Block D:
Village of West Clay, 3001C:

Mr. Steve Broermann presented the following plats for approval - Brooks Landing, Section 2; Clayborne, Section 1; Shelborne Estates; Centennial Townhomes, Building 17; Sedgewick; West Carmel Clay Center, Block D; and Village of West Clay, 3001C. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Bid Opening

Highway Vehicles:

Mr. Tom Stevens stated this bid was advertised for two (2) triaxle dump trucks and for one (1) sign truck. The openings for the sign truck has been delayed and all bidders were made aware of the delay. The bid today will be only for the triaxle dump trucks. Mr. Michael Howard opened the bids. Form 96, Non-Collusion Affidavit, Bid Bond and Financial Statement were included unless otherwise specified. 1) Wabash Ford - \$126,100.00 each. 2) Indiana Truck Sales - \$129,737.00 each. Mr. Howard recommended the bids be forwarded to the highway department for review and recommendation at the next meeting. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

County Engineer Resignation: (Tape 1, #220)

Holt stated they commissioners have received the resignation of County Highway Engineer, Les Locke, effective December 31, 2002. Today will be Les' last day on the job. We thank him for all of his blood, sweat and tears that he has committed to Hamilton County and the highway department to make us, to what we believe, to be the outstanding organization we are. Holt motioned to advertise for the County Highway Director's position as soon as possible and we concur with Mr. Steven's recommendation that the PE designation as part of that position description remain as a portion of the job description. Holt included in his motion to advertise for a Highway Engineer. Dillinger seconded. Motion carried unanimously.

Open Road Cut Permits:

Mr. Tom Stevens requested approval of Open Road Cut Permits: 1) RDCUT 2002-057 - C.P. Morgan Communities L.P. at Brooks School Road approximate 1400' north of 136th Street for installation of 48' storm sewer pipe. 2) RDCUT 2002-058 - Indianapolis Water Company, 20' south of C/L 104th Street & 14' west of C/L of Cornell Street to the point 14' north of C/L 104th Street & 13' east of C/L Cornell Street, to extend water services. 3) RDCUT 2002-059 - Indianapolis Water Company at 3110 West 106th Street 240' east of C/L Greentree & 4' north of C/L 106th Street to relocate hydrant. 4) RDCUT 2002-060 - Harold Mars at 285' west of Ditch Road on 281st for drainage tile 8" to tie into regulated drain. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Acceptance of Bonds and Letters of Credit - Highway Department:

Mr. Stevens requested acceptance of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-98-0082 - Ohio Casualty Insurance Company Continuation Certificate for Bond No. 3-466-466, effective 11/25/97 on behalf of Harvey Construction Company, Inc. to now expire 11/25/03. 2) HCHD #B-02-0124 - Developers Surety and Indemnity Company Subdivision Performance Bond No. 887715S issued on behalf of Estridge Development company, Inc. in the sum of \$64,743.00 for curbing and interior sidewalks in Centennial, Section 8 to expire 10/8/04. 3) HCHD #B-02-0125 - Federated Mutual Insurance Company License Bond No. 9235279 issued on behalf of Carlisle Company in the sum of \$5,000 for plumbing work in street to expire 10/2/03. 4) HCHD #B-02-0126 - Gulf Insurance Company Maintenance Bond No. B21867318 issued on behalf of Boomerang Development LLC in the sum of \$104,141.60 for 131st Street widening in Clayborne, Section 1 to expire 10/31/05. 5) HCHD #B-02-0127 - Gulf Insurance Company Subdivision Bond No. B21867317 issued on behalf of Boomerang Development LLC in the sum of \$416,599.00 for 131st Street resurface and stone shoulder improvements in Clayborne, Section 1 to expire 10/31/04. 6) HCHD #B-02-0128 - Western Surety Company Permit Bond No. 14454328 issued on behalf of Harold Mars in the sum of \$10,000 for carpentry, to expire 10/30/03. 7) HCHD #B-02-0129 - Developers Surety and Indemnity Company Subdivision Performance Bond No. 887762S issued on behalf of GWZ-1 Development, LLC in the sum of \$212,506.00 for streets and curbs in Sedgwick to expire 11/6/04. 8) HCHD #B-02-0130 - Gulf Insurance Company Permit Bond No. B21867241 issued on behalf of C.P. Morgan Communities in the sum of \$10,000 for road cut to expire 10/21/03. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds and Letters of Credit - Highway Department: (Tape 1, #345)

Mr. Stevens requested release of Bonds and Letters of Credit for the Highway

Department. 1) HCHD #B-02-0035 - Gulf Insurance Company Performance Bond No. B2 1847251 issued on behalf of Crossman Communities Partnership for Bridge 189 in Deer Path. 2) HCHD #B-01-0037 and HCHD #B-01-0038 - United States Fidelity & Guaranty Company Performance and Payment Bond #400SG2269 for Resurface Contract 01-1. 3) HCHD #B-01-0035 and HCHD #B-01-0036 - United States Fidelity & Guaranty Company Performance and Payment Bond #400SG2270 for Resurface Contract 01-2. 4) HCHD #B-01-0065 and HCHD #B-01-0066 - United States Fidelity & Guaranty Company Performance and Payment Bond for Resurface Contract 01-3. 5) HCHD #B-01-0102 and HCHD #B-01-0103 - United States Fidelity & Guaranty Company Performance and Payment Bond #400SG3061 for Resurface Contract 01-4. 6) HCHD #B-01-0123 and HCHD #B-01-0124 - Ohio Farmers Insurance Company Performance and Payment Bond #5887815 for Resurface Contract 01-5. 7) HCHD #B-01-0125 and HCHD #B-01-0126 - United States Fidelity & Guaranty Performance and Payment Bond for Resurface Contract 01-6. 8) HCHD #B-01-0135 and HCHD #B-01-0136 - St. Paul Fire and Marine Insurance Company Performance and Payment Bond #400SK6539 for Resurface Contract 01-7. 9) HCHD #B-01-0137 and HCHD #B01-0138 - St. Paul Fire and Marine Insurance Company Performance and Payment Bond #400SK6542-01 for Resurface Contract 01-8. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Joint Resurfacing Project with Hamilton County Parks Department: (Tape 1, #379)

Mr. Al Patterson stated the Hamilton County Parks Department would like to chip & seal the inner park roads at Carmel-Clay County Park. We had this request in 1993 and worked with the county highway department at that time. In 1993 the parks department paid for materials and the highway department did the work. In 1993 the cost was \$1,875.93. We expect a minimal increase in cost. Mr. Patterson stated they received a proposal from a private paving company for \$51,000.00. We think we can save money by working with the highway department. Mr. Patterson requested they be allowed to work with the highway department to chip and seal the roads in Carmel-Clay County Park. Dillinger motioned to approve. Holt seconded. Mr. Stevens stated the highway department will furnish the manpower and equipment. It would probably take 3 to 4 days to accomplish the work. We think we can accomplish it this year. Motion carried unanimously.

Clark called a recess. Clark called the meeting back to order.

Agreements (Tape 1, #486)

146th Street Contract No. 2 Supplemental Agreement No. 2:

Mr. Jim Neal requested approval of Supplemental Agreement No. 2, HCHD #E-99-0002, with Paul I. Cripe, Inc. for the 146th Street, Contract No. 2, Carey Road and Gray Road segments. Due to the delay in the project, we used all the inspection money. This will complete the project. The supplement is in the amount of \$55,027.00 for a new total not to exceed amount of \$940,970.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Hamilton County Trailways Project - Towne Road:

Mr. Neal requested approval of Supplemental Agreement No. 1, HCHD #E-00-0018, with Paul I. Cripe, Inc. for the Hamilton County Trailways Project on Towne Road. This will add right of way services to the project. This agreement is in the amount of \$13,835.00 which brings

the not to exceed to \$153,635.00. Dillinger motioned to approve. Holt seconded. Clark stated she will not be able to support this agreement because it is in violation of Section 1-1-11-18 of the Indiana Administrative Code. Dillinger and Holt approved. Clark opposed. Motion carries.

Acceptance of Streets

Valleys at Geist Subdivision, Sections 1, 2 and 4:

Mr. Neal requested acceptance of streets in the Valley at Geist Subdivision, Sections 1, 2 and 4 for a total of 0.70 miles. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence:

Mr. Neal requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads dated November 12, 2002. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Official Actions

Valleys at Geist Subdivision, Sections 1, 2 and 4:

Mr. Neal requested approval of the official action to install regulatory signs in the Valleys at Geist Subdivision, Sections 1, 2 and 4. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

206th Street and Cumberland Road:

Mr. Neal requested approval of the official action to repeal the Stop Signs at 206th Street and Cumberland Road and establishing a traffic signal at that location with No Preferentiality. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Highway Status Report:

Mr. Neal asked if there were any questions on the status report? There were no questions.

Request for Design Exceptions

Noblesville Hague Road Project:

Mr. Neal requested approval of design exception for Noblesville's Hague Road project for the improvements to Metsker Lane at SR 32. The design exception will reduce the horizontal curb radius from the minimum standard of 150' to 80'. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Bridge #255, Six Points over Jay Ditch:

Mr. Matt Knight requested approval of a design exception for guardrails for Bridge #255, Six Points over Jay Ditch. The steel backed timber rail is approved for the crash test level at this site. The only thing not approved is the guardrail end treatments. From our research there have never been any wooden guardrail end treatments that have ever been crash tested. Holt asked if

the end pieces are steel with wood cap or all wood? Mr. Knight stated the end sections are buried end treatments, just as most of our end treatments are. They are like the rest of the rail with a wood front with a steel backing. Holt motioned to adopt the exception. Dillinger seconded. Motion carried unanimously.

US 31/146th Street Ramps Project Consultant Selection:

Mr. Neal requested consultant selection on the 146th Street/US 31 Ramps Project - Phase II Design. We will be primarily designing the roadway to reconnect Rangeline Road to the south with 146th Street. Holt motioned to appoint American Consulting, Inc. Dillinger seconded. Dillinger and Holt approved. Clark abstained. Motion carries.

Snow Plows for Surveyor's New Pickup Trucks:

Mr. Swift stated the Surveyor has purchased two (2) new pickup trucks. They already have two trucks equipped with snowblades. The question is how many vehicles do you want equipped with snowblades. It will cost approximately \$6,000.00 to equip two more trucks. The Highway Department's recommendation is that if the Commissioners want additional trucks equipped with snowblades they would need to know early enough so they can include it in their budget. Holt motioned to table until the next meeting. Dillinger seconded. Motion carried unanimously.

Cooperative Effort with Sheriff's Department: (Tape 1, #888)

Ms. Trish Ogden presented a report on the cooperative effort between the Highway Department and Sheriff's Department regarding mowing the medians on 146th Street this summer. Clark stated this effort has saved the county several thousands of dollars. Holt motioned to send a letter to the Sheriff's Department, copy Joe Robbins, thanking them for making this a reality, for all three commissioner signatures. Dillinger seconded. Motion carried unanimously.

Stoney Creek Watershed Masterplan:

Mr. Kent Ward stated the RFP for the Stoney Creek Watershed Masterplan went out to 18 companies, we received 12 responses. The short list consisted of four companies. We have recommended Christopher B. Burke Engineering, LTD. We also brought DLZ and CTE for the Board's consideration. Any one of the three companies can do the job. Dillinger stated he has spoken with Kent regarding this. The only company he was familiar with was DLZ. Kent does believe DLZ would be an excellent company, he does believe Christopher Burke is the epitome for this kind of work. Mr. Ward stated they are known throughout the state and Illinois as water resources folks. They have performed a lot of jobs similar to this and come highly recommended. Dillinger motioned to appoint Christopher Burke. Holt seconded. Motion carried unanimously. Holt asked if there is any regional detention on the horizon? Mr. Ward stated that is a possibility. It would come out in the study, probably not on Stoney Creek itself, but possibly on various tributaries. Holt asked if the proposal gets in to how large that regional detention could be? Mr. Ward stated no. Holt asked if his fellow commissioners would accept asking that particular attention be paid to the potential of regional detention by the consultant? Clark stated she thought we had done that on the west side? Mr. Ward stated we did on the Edwards drain. We have one

phase of that plan in place now. Holt asked if Mr. Ward could express that there is significant interest in that being in the plan? Mr. Ward stated yes.

Right-of-Way Issues:

Mr. Howard stated there has not been progress in the last 2 weeks regarding the right-of-way issues.

Appearance of Impropriety Report: (Tape 1, #1371)

Clark stated in 2000 she had some concern of the appearance of impropriety in the way we do our selection of engineers. She wondered if she was the only one who had concerns. Clark stated she spoke to the president of CEI and attended a workshop on awarding contracts and QBS. It became obvious she needed to speak to the professionals. Over the last 1 ½ years she has visited in confidence, with partners or owners of eight engineering firms who do business with Hamilton County. Clark presented the responses she received. She came away from those meetings having deep respect for the engineering firms. She was astounded to learn that too many politicians expect and dine these firms on a regular basis for campaign contributions. The one thing she offered to do was to attempt to get us to set a policy that we would accept contributions from anyone who wanted to give them to us, but if any firm or any composite of that firm had donated more than \$500.00 to a commissioner, then that commissioner would abstain when that firm came before that commissioner for any work. Basically the people she talked to thought it would be super if we could begin that kind of effort because it obviously a cost they pass to us and then our taxpayers end up paying. Clark stated she hopes the commissioners would take the opportunity to read through her survey and if you feel inclined we could do something like that and if you don't we won't. Clark encouraged the commissioners to talk to the facilitator at QBS Professional Services. Clark asked if they could wait until December 9th to discuss this further, since she will not be at the November 25th meeting.

Clark called a break. Clark called the meeting back to order. Holt was absent.

Campaign Contributions:

Clark states she was asked by several people to get her and Holt's contributions. She will get that and pass it on to the Press.

Attorney (Tape 1, #1589)

Ordinance 11-12-02-A, Establishing a Storm Water Phase II Fund:

Mr. Michael Howard introduced Ordinance 11-12-02-A, An Ordinance Establishing a Storm Water Phase II Fund. Dillinger motioned to suspend the rules. Clark seconded. Motion carried unanimously. Dillinger motioned to approve Ordinance 11-12-02-A on first reading. Clark seconded. Motion carried unanimously.

146th Street Condemnation:

Mr. Howard presented the resolution of the Alberson condemnation on 146th Street. The case went to mediation and the mediation settlement, subject to approval is \$10,000.00. Dillinger motioned to approve. Clark seconded. Motion carried unanimously.

Administrative Assistant

Use of Historic Courtroom:

Mr. Fred Swift stated the swearing-in ceremonies for newly elected officials is proposed to be on December 19th at 3:00 pm in the Historic Courtroom and the request is the Commissioners allow the room to be used for that. Dillinger motioned to approve. Clark seconded. Motion carried unanimously.

First Indiana Bank Request to Use Historic Courtroom:

Dillinger stated First Indiana Bank has requested use of the historic courtroom for their first bank board meeting in April. Mr. Swift stated outside groups may use the courtroom upon requesting reservations through the Hamilton County Historical Society and they will receive the fee that is requested. We have done this before. Mr. Swift will research what the fees are. Dillinger motioned to give First Indiana Bank permission and they can make their contributions to the Historical Society. Clark seconded. Motion carried unanimously.

Santa House:

Mr. Swift stated the Historical Society has requested permission to have the Santa House placed on the square. It will be placed on November 23rd and will remove it the beginning of January. Dillinger motioned to approve. Clark seconded. Motion carried unanimously.

Holt returned to the meeting.

Variance on Sheppard Plat, 113th and Ringer Road: (Tape 1, #2055)

Mr. Doug Church, representing Bruce Bitner and his clients Ron and Nadine Sheppard, is requesting a plat amendment to relocating a driveway cut on 113th from what was originally platted by the City of Noblesville. The closest neighbor is Reggie Miller who has submitted a letter supporting the application. Mr. Broermann stated the replat would cause the driveway to be relocated to an area where there is a non-access easement that has been platted. The highway department has no objection to relocating the gap that is in the non-access easement as long as it is so noted on the proposed plat. The only concern we have is the possible reconstruction of the bridge, which crosses Thorpe Creek and the acquisition of right-of-way that would allow for construction of that bridge. Dillinger motioned to approve with the caveat that nothing be put in Block 1A that would in the way of the future bridge. Holt seconded. Motion carried unanimously.

Auditor (Tape 1, #2440)

Upper White River Watershed Alliance Appointment:

Dillinger motioned to appoint Steven A. Holt to the Upper White River Watershed Alliance. Clark seconded. Motion carried unanimously.

IRTIP Meeting:

Holt asked if someone else could attend the IRTIP meeting, he is unable to attend. Mr. Swift will attend the meeting.

VINE Program Contract:

Ms. Robin Mills requested approval of the service agreement for the VINE Program - Victim Information and Notification Everyday. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Liability Trust Claims:

Ms. Mills requested approval of Liability Trust Claims. 1) Miller's Auto Body - \$981.84. Dillinger motioned to approve. Holt seconded. Motion carried unanimously. 2) Miller's Auto Body - \$1,000.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously. 3) Timothy A. Miller, MD - \$67.00 and Decatur Memorial - \$176.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Acceptance of Bonds and Letters of Credit - Drainage Board:

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2002-00358 - U.S. Bank Irrevocable Standby Letter of Credit No. SLCCCIN00479 for the reconstruction of the J.R. Collins Drain at the proposed Carmel Office Park by CMC Properties in the amount of \$45,000.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds and Letters of Credit - Drainage Board:

Ms. Mills requested release of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-B01-026 - Developers Surety and Indemnity Company Subdivision Bond No. 861867S for the reconstruction of the Kirkendall Drain through Crest View, Section 4 in the amount of \$8,220.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Payroll Claims:

Ms. Mills requested approval of Payroll Claims for the period of October 12 thru 26, 2002, paid November 8, 2002. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of Vendor Claims to be paid November 13, 2002. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Dillinger motioned to adjourn. Holt seconded. Motion carried unanimously.

Commissioners Correspondence:

Bridge #33 Letter from Les Locke
Letter from Robin Mills Regarding Travel
Beam Longest & Neff Notice of Transmittal:
Bridge #135 & Bridge #237

IDEM Notice of Sewer Permit:

Laura Vista - Carmel

The Sagamore Club - Noblesville

Bowen Engineering Corporation - Fishers

IDEM Notice of Public Comment:

PSI Energy, Inc. Proposed Phase II Permit Revision

IDEM Notice of Appeal Rights:

Centennial, Section 8 - Westfield

Mill Grove, Section 6 - Noblesville

Little Chicago Road Sanitary Sewer - Noblesville

Cottage Grove Phase One - Noblesville

Brookstone, Phase One - Noblesville

Lochaven of Noblesville, Section 5 - Noblesville

Cottonwood Creek at Gray Eagle, Sections 2 & 3 - Fishers

Roudebush Farms, Section 1 - Noblesville

Washington Woods Elementary - Westfield

McCord Property, Section 1 - Fishers

Intracoastal at Geist, Section 1 - Fishers

Sagamore, Phase 4 - Noblesville

Oak Ridge Crossing - Westfield

Present:

Sharon R. Clark, Commissioner

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Robin M. Mills, Auditor

Kim Rauch, Executive Secretary to Auditor

Fred Swift, Administrative Assistant to Commissioners

Michael A. Howard, Attorney

Wayne A. Farley, Sheriff's Deputy

Tom K. Stevens, Highway Director

Virginia Hughes, Administrative Assistant to Highway Engineer

Patricia Ogden, Highway Public Service Representative

Jim Neal, Highway Project Engineer

Dave Lucas, Highway Inspector

Robert Chadwell, Highway Inspector

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

Joel Thurman, Transportation Development Engineer

Matt Knight, Highway Staff Engineer

Mike McBride, Small Structure Staff Engineer

Dustin Teachnor, Highway Assets Manager

Faraz Hahn, Highway Department

Jim Belden, County Council

Becki Wise, USI
Bob Gildea, SGA
Bruce E. Breeden, Paul I. Cripe, Inc.
Don Currise, Paul I. Cripe, Inc.
Floyd Burroughs, FEBA
Glenda Garreson, GWZ-1 Development LLC
Diana Lamirand, Noblesville Ledger
Phil Dunlap, Indianapolis Star
Sharon Williams
Kirk Demaree, Hague Road
Robin M. Mills, Auditor